

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF OCTOBER 24, 2008

(Published November 1, 2008, in *Finance and Commerce*)

Council Chamber

350 South 5th Street

Minneapolis, Minnesota

October 24, 2008 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, President Johnson.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 10/24/2008.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session of October 10, 2008. Seconded.

Adopted upon a voice vote 10/24/2008.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 10/24/2008.

PETITIONS AND COMMUNICATIONS

CLAIMS:

RISK MANAGEMENT (273078)

Tort Claims Summary Report: 1st and 2nd quarters 2008.

CLAIMS (See Rep):

RISK MANAGEMENT (273079)

Claims: Appeals of decision of Staff Claims Committee.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273080)

Artspace Projects, Inc (re Chicago Avenue Fire Arts Center, 3749 Chicago Ave S): Preliminary & final approval to issue bonds.

Minnesota AIDS Project (re 1400 Park Ave S): Preliminary & final approval to issue bonds.

Affordable Ownership Housing Program/City of Mpls Unified Housing Policy: Revisions to program & policy re amount of maximum CPED assistance.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (273081)

Lyndale Green Redevelopment Plan (re 28th & Lyndale).

MN Department of Employment & Economic Development (DEED): Acceptance of Redevelopment Program Grant awards for Broadway Plaza & Jackson Street affordable housing projects.

Environmental Remediation Grant Applications for Fall, 2008: Applications to DEED, Metropolitan Council Metropolitan Livable Communities Fund Tax Base Revitalization Account Grant Program & Hennepin County Environmental Response Fund.

Green Institute: Authorizing negotiation of a debt reduction/elimination plan.

HEALTH, ENERGY AND ENVIRONMENT:

HEALTH AND FAMILY SUPPORT SERVICES (273082)

Public Health Emergency Preparedness: Quarterly Update Report.

HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (273083)

Public Health Laboratory Services: Amend contract with Hennepin County to receive an additional \$232,750 for contract year 2009 for services provided by City.

Culture as a Protective Factor to Prevent Youth Violence: Apply for three-year grant of up to \$500,000 from Robert Wood Johnson Foundation to develop and co-implement pilot project to prevent youth violence in six cultural communities.

Community Development Block Grant (CDBG) Public Service Funds: Issue Request for Proposals for provision of health and human services for period June 1, 2009 through May 31, 2011.

Public Health Emergency Preparedness: Execute agreement with Hennepin County for public health response services by Hennepin County on behalf of City residents when a biological event requires greater than routine work; and Utilize Fund Availability Notice process to execute agreement.

INTERGOVERNMENTAL RELATIONS:

INTERGOVERNMENTAL RELATIONS (273084)

2009 Legislative Agenda: Proposals of Department of Community Planning & Economic Development, Public Works & Health & Family Support.

Federal Stimulus Package Update.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (273085)

Franklin Coffee (1007 E Franklin Av): Grant Restaurant License, with conditions.

Licenses: Applications.

PUBLIC SCHOOLS (273086)

Emergency Preparedness/Minneapolis Public Schools: Resolution affirming Mutual Aid and Support in Creating Safe and Secure Schools.

REGULATORY SERVICES (273087)

Chapter 249 Property at 2005 Hillside Av N: Authorize demolition of property.

REGULATORY SERVICES (273088)

Chapter 249 Property at 2720 17th Av S: Authorize demolition of property.

REGULATORY SERVICES (273089)

Rental Dwelling License at 1210 Irving Av N: Revoke license held by Sam Owens.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

POLICE DEPARTMENT (273090)

1st Precinct Neighborhood Safety: Authorize acceptance of a donation of \$20,000 to the Police Department for increased neighborhood safety; and Approve appropriation.

GraffitiNet: Execute agreement with City of St. Louis Park to gather and share information on incidents of graffiti through the use of GraffitiNet software and database.

Mutual Aid with St. Paul Police Department: Execute agreement with St. Paul Police Department to provide equipment, personnel and other resources available to cities of St. Paul and Minneapolis.

POLICE DEPARTMENT (273091)

Metrodome Security: Execute agreement with Metropolitan Sports Facilities Commission for security and perimeter management services of Police and Public Works Departments during 2008 Vikings football season; and Approve appropriation.

Alternate Enforcement Grant: Execute grant agreement with Minnesota Department of Public Safety to receive \$5,000 for enforcement of underage drinking laws in 2nd Precinct to address party houses in University of Minnesota area; and Approve appropriation.

Phillips Weed and Seed: Decrease Police appropriation for police enforcement activities for Powderhorn Park Neighborhood Association.

TRANSPORTATION AND PUBLIC WORKS:

PUBLIC WORKS AND ENGINEERING (273092)

Special Service Districts: Set assessment public hearing.

Quarterly Submittal of Traffic Zones, Restrictions, and Controls: Report.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (273093)

Nicollet Ave S Street Resurfacing Project: Delay special assessments until 2010.

Special Assessment Deferment: 3447 Ulysses St NE.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET:

PUBLIC WORKS AND ENGINEERING (273094)

Nicollet Mall Improvement, Maintenance, and Operation: Levy assessments.

Main Street Bridge Reconstruction: County Cost Participation Agreement.

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU): Application for funds.

Bid: OP 7035, Wrecker Services, Inc., Rapid Recovery, Inc., Shorty's Heavy Duty, S & T Transport, Inc., and Chief's Towing, Inc. for towing of vehicles.

Security Services: Issue RFP.

Security Services: a) RFP for security for Minneapolis Convention Center, Public Works Water Works, Public Works Impound Lot, and Emergency Security Mobilization Services; and b) Findings of Fact.

Collection of Garbage, Recyclables, Problem Materials, and Seasonal Yard Waste: a) Contracts with Aspen Waste System, Inc. and Minneapolis Refuse Inc.; b) Findings of Fact; and c) Comments.

WAYS AND MEANS BUDGET:

ATTORNEY (273095)

Ethical Practices Board Appointments: Patricia Kovel-Jarboe and Susan Humiston.

FIRE DEPARTMENT (273096)

Monthly Budget Status Report Update.

WAYS AND MEANS BUDGET (See Rep):

911 / 311 (273097)

Minneapolis 311: Receive funds from MSP 2008 Host Committee for secured sponsorship for the Republican National Convention Information Line.

ATTORNEY (273098)

Council on Crime and Justice: Contract extension.

Courier Services: Issue RFP.

BUSINESS INFORMATION SERVICES (BIS) (273099)

Cognos Contract: Amend contract C-24267 to cover costs of implementing the Budget Preparation Phase II project.

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (273101)

Meet Minneapolis: Accept non-profit convention events funds.

CONVENTION CENTER AND PROCUREMENT (273100)

Kone, Inc. Contract: Amend contract C-21500 to provide elevator and escalator maintenance.

FINANCE DEPARTMENT (273102)

Department Appropriation Modifications: Use of Contingency.

Centralized Leases: Facilities, Space and Asset Management Committee technical changes relating to rent charges at City Hall.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (273103)

Appeal:

Dole Building (321 2nd Ave N): Denial of Certificate of Appropriateness to allow for demolition of a contributing property in the North Loop Warehouse Historic District.

PLANNING COMMISSION/DEPARTMENT (273104)

Appeal:

Cedar and Lake Shopping Center (1825 E Lake St, 3005 & 3015 Cedar Ave S): Appeal of denial of conditional use permit for extended hours for a meeting hall and variance to decrease parking requirements for a shopping center.

Moratorium Waivers:

Mark Freund (1013 & 1019 University Ave SE) to allow application for demolition from the "University District" moratorium.

Nicollet Square (3700 Nicollet Ave) application to vacate boulevard reserve.

Campus Crossroads (810, 814 & 818 Washington Ave SE, 307, 309 & 313 Oak St SE, 312 Ontario St SE) Rezone properties to C3A district.

MOTIONS:

CITY COUNCIL (273105)

2009 City Council Meeting Calendar.

The following reports were signed by Mayor Rybak on October 27, 2008, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The **CLAIMS** Committee submitted the following reports:

Claims - Your Committee, having under consideration claims appealed from the decision of the Staff Claims Committee, now recommends that the following appeals be denied:

- a) Shane McCaffrey, 6222 W 35th St, St. Louis Park
Relating to property damage/loss of income
Amount: \$2,500

- b) Tommy Russell, 3400 Blaisdell Ave S, Minneapolis
Relating to vehicle towing
Amount: \$138
 - c) Michele del Castillo, 3625 W 38th St, Minneapolis
Relating to property damage
Amount: \$929.90
 - d) Vincent Harris, PO Box 40577, St Paul
Relating to vehicle towing
Amount: \$138
 - e) John Lee, P.O. Box 1000, Duluth
Relating to sale of vehicles
Amount: \$22,500
 - f) Carolyn Leete, 399 Otis Ave, St. Paul
Relating to vehicle damage
Amount: \$2,147.46
 - g) Tom Wilkes, 910 29th Ave, Minneapolis
Relating to property damage
Amount: \$2,850
 - h) Jan Rose, 2736 Xenwood Ave S, St. Louis Park
Relating to vehicle towing
Amount: \$138
- Adopted 10/24/2008.

Claims - Your Committee, having under consideration the appeal filed by Amanda Mason, 1615 Lowry Ave N, from the decision of the Staff Claims Committee denying a claim in the amount of \$138 relating to vehicle towing charges, now recommends that said appeal be **sent forward without recommendation**.

Goodman moved that the report be amended by deleting the language "be sent forward without recommendation" and inserting in lieu thereof "be denied". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted 10/24/2008. Yeas, 11; Nays, 2 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden.

Nays - Gordon, Johnson.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the issuance of revenue bonds on behalf of Artspace Projects, Inc, to finance the acquisition and renovation of a building at 3749 Chicago Ave S for the Chicago Avenue Fire Arts Center project, now recommends passage of the accompanying resolution giving preliminary and final approval for the issuance of up to \$510,000 in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency (MCDA) Revenue Bonds, Series 2008, for said project.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 10/24/2008.

Resolution 2008R-452, giving preliminary and final approval to and authorizing the financing of a project on behalf of Artspace Projects, Inc. at 3749 Chicago Ave S for the Chicago Avenue Fire Arts Center project, and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefore, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-452

By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of Artspace Projects, Inc. (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in an amount not to exceed \$510,000 (the "Bond") to finance the acquisition and renovation of a building located at 3749 Chicago Avenue South in the City, to be used as an arts education, gallery and art production facility; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at an initial interest rate expected to not exceed 6.00% per annum, shall have a final maturity date not later than December 31, 2019, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount not to exceed \$510,000 for the purpose of financing the acquisition and renovation described above.

Be It Further Resolved that the Bond is hereby designated as a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 10/24/2008.

Comm Dev—Your Committee, having under consideration the issuance of revenue bonds on behalf of the Minnesota AIDS Project to refinance the Series 2004 bonds issued for the purchase and renovation of 1400 Park Ave S, now recommends passage of the accompanying resolution giving preliminary and final approval for the issuance of up to \$1.2 million in Tax-exempt 501(c)(3) Bank Qualified Bank Direct Minneapolis Community Development Agency (MCDA) Revenue Bonds, Series 2008, for said project.

Your Committee further recommends that the subject matter be forwarded to the MCDA Board of Commissioners.

Adopted 10/24/2008.

Approved by Mayor Rybak 10/24/2008.

(Published 10/28/2008)

Resolution 2008R-453, authorizing the issuance and sale of a revenue bond on behalf of Minnesota AIDS Project, refinancing the Series 2004 bonds, by the Minneapolis Community Development Agency, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-453

By Goodman

Authorizing the issuance and sale of a revenue bond on behalf of Minnesota AIDS Project by the Minneapolis Community Development Agency.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond in an amount not to exceed \$1,197,989 (the "Bond") to refinance the Agency's Revenue Bond (Minnesota AIDS Project), Series 2004 (the "Refunded Bond"), which Refunded Bond was issued on behalf of the Minnesota AIDS Project (the "Company") to finance the acquisition of the Company's headquarters building located at 1400 Park Avenue South in the City (the "Project"); and

Whereas, the Project is owned by the Company; and

Whereas, at a public hearing, duly noticed and held on October 14, 2008, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended, on the proposal to refinance the Project and to refund the Refunded Bond with proceeds of the Bond, all parties who appeared were given an opportunity to express their views with respect to the proposal to refinance the Project and to refund the Refunded Bond, and interested persons were given the opportunity to submit written comments before the time of the hearing; and

Whereas, the Bond shall bear interest at an initial interest rate not to exceed 8.00%, shall mature no later than sixteen years from the date of issuance thereof, and shall have such other terms as are required or permitted by the Agency's approving resolution;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount not to exceed \$1,197,989 for the purpose of refinancing the Project.

Be It Further Resolved that the Bond is hereby designated a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted 10/24/2008.

Approved by Mayor Rybak 10/24/2008.

Comm Dev - Your Committee, having under consideration a change in program guidelines to the Affordable Ownership Housing Development Program (AOHP) and revision to the City of Minneapolis Unified Housing Policy, now recommends approval of revisions to the AOHP relating to the maximum Department of Community Planning & Economic Development (CPED) assistance, as outlined in the CPED report, and as a result, the complementary changes to the City of Minneapolis Unified Housing Policy for all projects related to the AOHP.

Adopted 10/24/2008.

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration the Lyndale Green Redevelopment Plan, which establishes a new redevelopment project area at 610 W 28th St, establishes objectives for redevelopment and identifies land uses for the redevelopment of the project

area, now recommends passage of the accompanying resolution adopting said Plan for the mixed-use project currently consisting of a vacant, boarded church, with addition and parking lot.

Adopted 10/24/2008.

Resolution 2008R-454, adopting the Lyndale Green Redevelopment Plan, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-454
By Goodman and Ostrow

Adopting the Lyndale Green Redevelopment Plan.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

1.1 Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development ("CPED"), has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.2 CPED has prepared facts and this Council has investigated the facts with respect to a proposed Lyndale Green Redevelopment Plan (the "Plan"). The Plan creates a new redevelopment project area (the "Project Area") to facilitate redevelopment of property at West 28th Street and Lyndale Avenue South as a mixed-use commercial and rental housing project, all pursuant to and in accordance with the Project Laws.

1.3 The City has performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the City Planning Commission, and the holding of a public hearing after published and mailed notice as required by law.

1.4 The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 2. Findings for the Adoption of the Plan

2.1 The Council hereby finds, determines and declares that the objectives and actions authorized by the Plan are all pursuant to and in accordance with the Project Laws.

2.2 The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise. The proposed redevelopment removes blight and blighting influences, provides decent, safe and sanitary dwellings for persons of low and moderate income, cleans contaminated land, stabilizes an historic resource, supports goals related to commercial corridors in the Minneapolis Plan for Sustainable Growth, creates jobs, and encourages housing density near transit corridors.

2.3 The Council hereby finds, determines and declares that the Lyndale Green Redevelopment Project (the "Redevelopment Project") qualifies as a Redevelopment Project as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivisions 14 and 16). The Project Area qualifies as a "blighted area" as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivision 11).

2.4 The Council hereby finds, determines and declares that the Project Area includes vacant and underutilized buildings that are detrimental to the community by reasons of dilapidation, obsolescence, overcrowding, faulty arrangement, lack of ventilation and structural damage, and may include asbestos

and lead paint contamination. The vacant and substandard buildings undermine the value of adjacent property, are an uneconomic use of the land, and are considered a blighting condition.

2.5 The Council further finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plan were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.6 The Council hereby finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aid to be sought.

2.7 The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 3. Approval of the Plan; Creation of Project Area

3.1 Based upon the findings set forth in Section 2 hereof, the Lyndale Green Redevelopment Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan

4.1 The officers and staff of the City, and the City's consultants and counsel, are authorized and directed to proceed with the implementation of the Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, resolutions, documents and contracts necessary for this purpose.

Adopted 10/24/2008.

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of the Minnesota Department of Employment and Economic Development (DEED) grant awards, now recommends that the proper City officers be authorized to accept and appropriate awards for the Broadway Plaza project in the amount of \$661,876, and the Jackson Street Affordable Housing project in the amount of \$132,275, and to execute such agreements as may be necessary to implement the redevelopment grants.

Your Committee further recommends passage of the accompanying resolution increasing the CPED appropriation by \$794,151 to reflect the receipt of said grant funds.

Adopted 10/24/2008.

RESOLUTION 2008R-455 By Goodman and Ostrow

Amending the 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

- a) Increasing the appropriation in the Department of Community Planning & Economic Development (CPED) Grants-Other Fund (01600-8900320) by \$661,876;
- b) Increasing the appropriation in the CPED Grants-Other Fund (01600-8900220) by \$132,275; and
- c) Increasing the revenue source in the CPED Grants-Other Fund (01600-8900900-321504) by \$794,151.

Adopted 10/24/2008.

Comm Dev & W&M/Budget - Your Committee, having under consideration environmental remediation grant applications for Fall, 2008, now recommends that the proper City officers be authorized to apply to the following agencies for projects as listed:

Minnesota Department of Employment and Economic Development Contamination Cleanup and Investigation Grant Program Requests:

1. 2600 Minnehaha Ave S
2. 2900 Lyndale Ave S
3. Digigraphics
4. Impact Mailing

5. Standard Heating & Air Conditioning
6. Sydney Hall & Dinkydome

Metropolitan Council Metropolitan Livable Communities Fund Tax Base Revitalization

Account Grant Requests:

1. 200 1st St N
2. 1200 W Broadway
3. 2900 Lyndale Ave S
4. CVS Pharmacy
5. Digigraphics
6. Standard Heating & Air Conditioning

Hennepin County Environmental Response Fund Grant Requests:

1. 200 1st St N
2. 747-800 N 3rd St
3. 1200 W Broadway
4. 2600 Minnehaha Ave S
5. 2900 Lyndale Ave S
6. Digigraphics
7. East Bank Mills
8. Exodus Apartments
9. Huron Flats,
10. (former) Ken's Metal Finishing
11. Sydney Hall & Dinkydome
12. Walker Apartments

Your Committee further recommends approval of the submission of a "Community Garden Sites" application to Groundwork Minneapolis for investigation and/or remediation funds.

Your Committee further recommends passage of the accompanying resolutions authorizing appropriate City staff to execute agreements to implement the grant programs.

Adopted 10/24/2008.

Resolution 2008R-456, authorizing application to the Minnesota Department of Employment and Economic Development Contamination Cleanup and Investigation Grant Program for projects as follows: 2600 Minnehaha Ave S, 2900 Lyndale Ave S, Digigraphics, Impact Mailing, Standard Heating & Air Conditioning, and Sydney Hall & Dinkydome, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-456

By Goodman and Ostrow

Authorizing application to the Minnesota Department of Employment and Economic Development [DEED] Contamination Cleanup and Investigation Grant Program for various projects.

Whereas, the City of Minneapolis intends to act as the legal sponsor for one or more of the following projects that will be more completely described in contamination cleanup and/or investigation applications to be submitted to the Minnesota Department of Employment and Economic Development (DEED) on or by November 3, 2008, subject to final staff verification of each such application's compliance with the DEED grant program's purposes and criteria: 2600 Minnehaha Ave S, 2900 Lyndale Ave S, Digigraphics, Impact Mailing, Standard Heating & Air Conditioning, and Sydney Hall & Dinkydome; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration; and

Whereas, the sources and amounts of the local match identified in the applications are committed to the identified projects; and

Whereas, the City has not violated any federal, state or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice; and

Whereas, upon approval of one or more of its applications, the City may enter into agreements with the DEED for one or more of the above-referenced projects and will comply with all applicable laws and regulations stated in such agreements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council authorizes the Director of the Department of Planning and Economic Development or other appropriate staff to apply to the Department of Employment and Economic Development for Contamination Cleanup and Investigation Grant Program funding for one or more of the above-referenced projects and to execute such agreements as are necessary to implement the projects.

Adopted 10/24/2008.

Resolution 2008R-457, authorizing application to the Metropolitan Council Tax Base Revitalization Account for the following projects: 200 1st St N, 1200 W Broadway, 2900 Lyndale Ave S, CVS Pharmacy, Digigraphics, and Standard Heating & Air Conditioning, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-457
By Goodman and Ostrow

Authorizing application to the Metropolitan Council Tax Base Revitalization Account [TBRA] for various projects.

Whereas, the City of Minneapolis (the "City") was and is a participant in the Livable Communities Act's Housing Incentives Program as determined by the Metropolitan Council, and is therefore eligible to make application for funds under the Tax Base Revitalization Account; and

Whereas, the City has identified the following clean-up projects within the City that preliminarily appear to meet the Tax Base Revitalization Account's purposes and criteria: 200 1st St N, 1200 W Broadway, 2900 Lyndale Ave S, CVS Pharmacy, Digigraphics, and Standard Heating & Air Conditioning; and

Whereas, the City intends to act as the legal sponsor for the above-referenced projects, which will be more completely described in Tax Base Revitalization Account grant applications to be submitted to the Metropolitan Council on or by November 3, 2008, subject to final staff verification of each such application's compliance with the TBRA grant program's purposes and criteria ; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project administration; and

Whereas, upon approval of one or more of its applications, the City may enter into agreements with the Metropolitan Council for one or more of the above-reference projects and will comply with all applicable laws and regulations stated in such agreements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council authorizes the Director of the Department of Community Planning and Economic Development or other appropriate staff to apply on behalf of the City of Minneapolis to the Metropolitan Council for Tax Base Revitalization Account funding for one or more of the above-referenced projects and to execute such agreements as are necessary to implement the projects.

Adopted 10/24/2008.

Resolution 2008R-458, authorizing application to the Hennepin County Environmental Response Fund for projects as follows: 200 1st St N, 747-800 N 3rd St, 1200 W Broadway, 2600 Minnehaha Ave S, 2900 Lyndale Ave S, Digigraphics, East Bank Mills, Exodus Apartments, Huron Flats, [former] Ken's Metal Finishing, Sydney Hall & Dinkydome, and Walker Apartments, was adopted 10/24/2008 by the

City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-458
By Goodman and Ostrow

Authorizing application to the Hennepin County Environmental Response Fund for various projects.

Whereas, the City of Minneapolis intends to act as the legal sponsor for one or more of the following projects that will be more completely described in Environmental Response Fund applications to be submitted to Hennepin County on or by November 3, 2008, subject to final staff verification of each such application's compliance with the ERF program's purposes and criteria: 200 1st St N, 747-800 N 3rd St, 1200 W Broadway, 2600 Minnehaha Ave S, 2900 Lyndale Ave S, Digigraphics, East Bank Mills, Exodus Apartments, Huron Flats, [former] Ken's Metal Finishing, Sydney Hall & Dinkydome, and Walker Apartments (any of these projects may opt to submit its application directly to Hennepin County, rather than through the City of Minneapolis, if doing so is authorized under the ERF program's guidelines); and

Whereas, the City has been advised that a project known as "Community Garden Sites" desires to apply to Groundwork Minneapolis for investigation and/or remediation funds originally provided to Groundwork Minneapolis by the Environmental Response Fund [ERF], and that the ERF program's procedures require a City Council resolution in support of any Minneapolis project that intends to seek such funding; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration; and

Whereas, the City has not violated any federal, state or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice; and

Whereas, upon approval of one or more of its applications, the City may enter into agreements with Hennepin County for one or more of the above-referenced projects and will comply with all applicable laws and regulations stated in such agreements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council authorizes the Director of the Department of Planning and Economic Development or other appropriate staff to apply to the Hennepin County Environmental Response Fund for funding for one or more of the above-referenced projects and to execute such agreements as are necessary to implement the projects; and that the City Council hereby expresses its support for the ERF investigation and/or remediation funding that the "Community Garden Sites" project intends to request from Groundwork Minneapolis.

Adopted 10/24/2008.

Comm Dev & W&M/Budget - Your Committee, having under consideration a status report on the City loans to the Green Institute, now recommends that the proper City officers be authorized to negotiate a debt reduction/elimination plan with the Green Institute by December 31, 2008, and report back to the City Council by December 1, 2008, on the status of said plan.

Adopted 10/24/2008.

The HEALTH, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

HE&E & W&M/Budget - Your Committee, having under consideration a contract with Hennepin County through its Human Services and Public Health Department allowing the City to provide health laboratory services on behalf of the County through December 31, 2010, now recommends that the

proper City officers be authorized to amend Contract No 23803 with Hennepin County receive an additional \$232,750 for contract year 2009.

Adopted 10/24/2008.

HE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to apply for a three-year grant of up to \$500,000 from the Robert Wood Johnson Foundation Local Funding Partnerships program for a project period of July 1, 2009 through June 30, 2012 to develop and co-implement a rites of passage pilot project to prevent youth violence in six cultural communities.

Adopted 10/24/2008.

HE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals for Community Development Block Grant (CDBG) Public Service funds for the provision of health and human services for the period of June 1, 2009 through May 31, 2011. Second year funding is contingent upon fund availability and grantee performance.

Adopted 10/24/2008.

Approved by Mayor Rybak 10/24/2008.

(Published 10/28/2008)

HE&E & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with Hennepin County to provide payment by the City for public health response services by Hennepin County on behalf of City residents when a biological event requires greater than "routine" work, as set forth in the "Scope of Service for City and County Human Services and Public Health Response Roles and Responsibilities" (Petn No 273083).

Your Committee further recommends that the proper City officers utilize the Fund Availability Notice process under the City's Master Contract with Hennepin County to execute said agreement.

Adopted 10/24/2008.

The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Franklin Coffee, 1007 E Franklin Av, for a Restaurant License, subject to conditions.

Adopted 10/24/2008.

Resolution 2008R-459, granting the application of Franklin Coffee, 1007 E Franklin Av, for a Restaurant License, subject to conditions, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-459

By Samuels

Granting the application of Franklin Coffee, 1007 E Franklin Av, for a Restaurant License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Rashid Ahmed, dba Franklin Coffee, 1007 E Franklin Av, for a Restaurant License (new proprietor) to expire April 1, 2009, subject to the following conditions:

1. Under the Minnesota and City of Minneapolis smoking bans, tobacco use of any type is not allowed in a restaurant.

2. Zoning regulations limit the hours of operation as Sunday to Thursday, 7:00 a.m. to 10:00 p.m.; and Friday and Saturday 7:00 a.m. to 11:00 p.m. A conditional use permit must be approved to extend the hours of operation.

3. The business agrees to clean the property, and all areas within 100 feet of the property line, of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.

4. The business agrees to keep all exterior and interior lights illuminated and functioning properly.

5. All windows will be free of signs and other items that block the view in and out, as specified in Section 543.350 of the Minneapolis Code of Ordinances.

6. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.

7. "No Trespassing" signs will remain clearly posted on the exterior of the business and parking area. The restaurant staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees fully in the prosecution of criminal activity.

8. The business agrees to install a surveillance camera in the parking lot that records and holds material for a 30-day period. The business will make available any recorded material to Licenses or Police upon request.

9. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 10/24/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 10/24/2008.

Resolution 2008R-460, granting applications for Liquor, Wine and Beer Licenses, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-460

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petr No 273085):

Off-Sale Liquor, to expire October 1, 2009

Team Liquor Inc, dba Team Liquor Wine & Spirits, 19 S 7th St

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 2009

Lake & Hennepin BBQ & Blues Inc, dba Famous Daves BBQ & Blues, 3001 Hennepin Av (new corporate officer)

On-Sale Liquor Class B with Sunday Sales, to expire October 1, 2009

Gravity Nightlife LLC, dba Element Nightclub, 10 S 5th St

Coreyx LLC, dba Nicollet Island Inn, 95 Merriam St

Restaurant Entertainment Group Inc, dba Rosen's/The District, 430 1st Av N #101

Restaurant Entertainment Group Inc, dba Refuge, 430 1st Av N

Sega Entertainment USA Inc, dba Gameworks, 600 Hennepin Av #110

Babalu LLC, dba Babalu, 800 Washington Av N #102

Whiskey Entertainment Corp, dba Whiskey Junction, 901 Cedar Av S

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 2009

Schubert-Phanthavong LLC, dba Otho Restaurant and Street Lounge, 929 Portland Av

Orig Broadway Stat Inc, dba Broadway Station, 2025 W River Rd

Midtown Exchange Hotel LLC, dba Sheraton Restaurant, 2901 Chicago Av

Off-Sale Beer

Lambert & Lambert Ent Inc, dba Metro Petro, 2700 University Av SE (new business).
Adopted 10/24/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.
Adopted 10/24/2008.

Resolution 2008R-461, granting applications for Business Licenses, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-461
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of October 24, 2008 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petr No 273085):

Amusement Devices; Place of Amusement Class B-1; Place of Amusement Class C; Fire Extinguisher Servicing Class A; Fire Extinguisher Servicing Class B; Caterers; Confectionery; Farm – Produce Permits; Grocery; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Bulk Gas & Oil Storage; Gasoline Filling Station; Motor Vehicle Dealer – Cycles & Motorbikes; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Towing Class A; Towing Class B; Commercial Parking Lot Class A; Pet Shop; Recycling/Salvage Yard; Rental Halls; Residential Specialty Contractor; Skating Rink – Ice, Roller; Solid Waste Hauler; Suntanning Facility; Swimming Pool – Public; Tattooist/Body Piercer; Taxicab Limited; Taxicab Vehicle; Theater Zone I; Theater Zone III.

Adopted 10/24/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.
Adopted 10/24/2008.

Resolution 2008R-462, granting applications for Gambling Licenses, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-462
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petr No 273085):

Gambling Exempt

Holy Rosary Church, dba Holy Rosary Church, 2424 18th Av S (Raffles September 1 – October 5, 2008)

Our Lady of Victory Catholic Church, dba Our Lady of Victory Catholic Church, 5155 Emerson Av N (Raffle October 25, 2008 at Parish Hall, 5140 Fremont Av N)

Doing Good Together, dba Doing Good Together, 5141 16th Av S (Raffle November 14, 2008 at Dorsey & Whitney Law Office, 50 S 6th St #1500)

Make A Wish Foundation, dba Make A Wish Foundation, 615 1st Av NE (Raffles November 16, 2008 at Minneapolis Convention Center Hall)

St. Boniface Council of the Catholic Aid, dba St. Boniface Council of the Catholic Aid, 629 2nd St NE (Raffle, Paddlewheel and Pulltabs November 28, 2008)

Adopted 10/24/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Visage, 404 3rd Av N.

Adopted 10/24/2008.

Resolution 2008R-463, approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Visage, 404 3rd Av N, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-463

By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Liquor License held by Visage, 404 3rd Av N.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on August 17, 2007 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that on two separate occasions in a period of less than 24 months, employees of Visage sold alcohol to persons under the age of 21, in violation of Section 370.10 of the Minneapolis Code of Ordinances and Minnesota Statute 340A.503 subd 2(1), and the established compliance check policy and procedures of the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. The Minneapolis Licenses & Consumer Services Division will impose a \$3,000 sanction; \$1,000 due within 30 days of signing the agreement, and \$2,000 prior to January 15, 2009.

2. Create a youth alcohol compliance policy that addresses the following, but not limited to: a higher level of communication at staff meetings; employee consequences, self-checking procedure; everyone must get "carded" regardless of the circumstances; secondary "carding"; new employees receive alcohol server training within 30 days of hire; refresher alcohol server training annually; clarify use of disposable cups; use of off-duty police officers and communication with 1st Precinct regarding "problem nights". This youth alcohol policy must be adhered to as part of the agreement and is due at time of signing of the agreement.

3. Detailed policy on control of mixed age events due at time of signing. Manager must contact Downtown Command 10 days prior to each new event.

4. Purchase electronic identification scanner within 30 days of signing the agreement. This device shall be purchased and utilized within 30 days of the signing of the agreement. Follow proper legal procedure for confiscated I.D. cards and submit to the Police Department.

5. Do not allow promoters to have control of licensed premises or have proceeds from alcohol sales go to promoters.

6. Submit a new business plan for Sports Bar concept prior to September 2009.

7. Will maintain adequate security as to control customers and will maintain a security presence outside in front of business to address loitering and disturbances at closing.

Adopted 10/24/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Motor Vehicle Repair Garage with Accessory Use and Motor Vehicle Sales Licenses held by WA Wingerd Corporation, 815 Cedar Av.

Adopted 10/24/2008.

Resolution 2008R-464, resolution approving License Settlement Conference recommendations relating to the Motor Vehicle Repair Garage with Accessory Use and Motor Vehicle Sales Licenses held by WA Wingerd Corporation, 815 Cedar Av, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-464

By Samuels

Approving License Settlement Conference recommendations relating to the Motor Vehicle Repair Garage with Accessory Use and Motor Vehicle Sales Licenses held by WA Wingerd Corporation, 815 Cedar Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on September 11, 2008 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded the following:

a. Mr. William Wingerd, operating as The Shop, failed to comply with Zoning regulations by failing to obtain the necessary sign permits required by Section 543.30 of the Minneapolis Code of Ordinances.

b. Mr. William Wingerd, operating as The Shop, failed to comply with Zoning regulations by allowing exterior storage of a trailer, in violation of Section 548.180 of the Minneapolis Code of Ordinances.

c. Mr. William Wingerd, operating as The Shop, failed to pay a criminal citation in violation of Section 259.15 of the Minneapolis Code of Ordinances;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. Mr. Wingerd agrees that the criminal citation will be paid in full by September 26, 2008.

2. Mr. Wingerd understands that in the future when he does not understand an order or cannot comply with the order by the due date, he must contact the City staff assigned to the order and make the necessary arrangements to comply.

3. Mr. Wingerd agrees that he will obtain all the necessary sign permits, as determined by Zoning Inspector Stuart Roberson by September 26, 2008.

4. Mr. Wingerd will meet with the Zoning Department by October 26, 2008 to discuss completion of the site plan. The actual work on the site plan must be completed by July 1, 2009.

5. A \$1,000 sanction is assessed against The Shop. \$500 of the sanction is stayed pending no same or similar violations of the Minneapolis Code of Ordinances. The sanction shall be due and payable upon signature of the agreement.

Adopted 10/24/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by 4th Street Saloon, 328 W Broadway.

Adopted 10/24/2008.

Resolution 2008R-465, approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by 4th Street Saloon, 328 W Broadway, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-465

By Samuels

Approving License Settlement Conference recommendations relating to the On-Sale Liquor Class B with Sunday Sales License held by 4th Street Saloon, 328 W Broadway.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on August 12, 2008 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that on two separate occasions in a period of less than two years the same employee of 4th Street Saloon sold alcohol to persons under the age of 21, in violation of Section 370.10 of the Minneapolis Code of Ordinances, and Minnesota Statute 340A.503 subd 2(1), and the established compliance check policy and procedures of the City of Minneapolis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. That a sanction in the amount of \$3,000 (\$1,000 stayed for a period of two years pending no further alcohol compliance check failures). \$2,000 will be paid upon signing of the agreement.

2. The 4th Street Saloon agrees to establish and submit a written alcohol policy upon signing the agreement that includes training of staff prior to hire, training certification for essential employees, rewards, and penalties for employee non-compliance with policies and secret shoppers.

3. The 4th Street Saloon agrees to have a trained store manager on the premises during hours of operation to ensure compliance with the written alcohol policy.

4. The 4th Street Saloon will consistently operate the technology that required a scanned ID prior to sale of alcohol.

5. A 4th Street Saloon representative will participate in the Liquor Industry and The City (LINC) Industry meeting.

6. The 4th Street Saloon will enforce a policy of no one under the age of 21 allowed in the bar after 9:00 p.m.

7. The agreement does not alter or preclude any previously imposed license conditions that may exist regarding any other licenses held by 4th Street Saloon.

8. The agreement shall not preclude any other adverse license action for subsequent violations of the agreement, or for subsequent violations or subsequently discovered violations of any federal, state or local laws, ordinances or regulations.

9. The date of the agreement shall be defined as the date that the licensee signs or otherwise executes the agreement. The agreement is subject to approval by the Minneapolis City Council; however should such approval be obtained after the execution of the agreement, the approval shall be retroactive to the date of execution.

Adopted 10/24/2008.

PS&RS - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Tobacco and Confectionery Licenses held by Downtown Tobacco, 428 Hennepin Av.
Adopted 10/24/2008.

Resolution 2008R-466, approving License Settlement Conference recommendations relating to the Tobacco and Confectionery Licenses held by Downtown Tobacco, 428 Hennepin Av, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-466
By Samuels

Approving License Settlement Conference recommendations relating to the Tobacco and Confectionery Licenses held by Downtown Tobacco, 428 Hennepin Av.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on June 4, 2008 with the licensee; and

Whereas, the Public Safety & Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded

- a. an employee of the licensee knowingly or intentionally delivered drug paraphernalia in violation of Section 223.240 of the Minneapolis Code of Ordinances;
- b. an employee of the licensee sold cigarettes to a minor tobacco compliance checker in violation of Section 281.50 of the Minneapolis Code of Ordinances;
- c. the licensee operated his business without a surveillance camera and failed to comply with an order to install an operational system in violation of Section 259.230(d) of the Minneapolis Code of Ordinances;
- d. the licensee's failure to comply with Sections 223.240, 281.50 and 259.230(d) of the Minneapolis Code of Ordinances violated a settlement agreement between the City and the licensee;
- e. the licensee failed to meet the minimum standards of Section 259.250 of the Minneapolis Code of Ordinances which governs licensed businesses in that "the licensee is directly and vicariously responsible for any violations on the premises...by any employees..." and that it was the licensee's responsibility to "maintain and operate the business in compliance with all applicable laws and ordinances";

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. A civil penalty in the amount of \$5,000 shall be assessed to the licensee, comprised of \$3,396 in cost recovery and a \$1,704 sanction. The \$1,704 sanction shall be stayed on the condition there are no same or similar violations for a period of two years from the date of execution of this agreement. A same or similar violation committed within two years of the execution of this agreement for a same or similar violation shall result in the imposition of the stayed fines.
2. The licensee shall remit \$3,396 in costs of enforcement within one week of the execution of this agreement by mailing or delivering a check payable to "The City of Minneapolis" to the attention of the Licenses and Consumer Services Division.
3. The licensee shall comply with all applicable regulations, laws and ordinances governing its tobacco and confectionery food licenses and shall comply with all conditions contained herein.
4. The licensee agrees not to sell any items which are commonly used by drug users and drug dealers. These items include: Glass pipes or tubes, scrubbers such as Brillo or Chore Boys, small zip lock type bags also known as jewelry bags, regular size zip lock type bags, marijuana or herbal pipes, single, inexpensive cigars sometimes referred to as blunts, cigars not packaged by the manufacturer or with a broken, opened or altered manufacturer's packaging, brass pipe screens, medal

pushers, cigarette filters, blunt type tobacco leaves, bubblers, roach clips, small spoons, bongs, designer lighters (for instance, shaped like guns, or adorned with marijuana leaves), hookahs, hand-painted blown glass items, cocaine or herbal grinders, snorters, medal pipes, razor blades, small mirrors, small glass vials, vaporizers, straws, tinfoil, pens, glass tubes or car deodorant, activated charcoal, chopsticks, tire gauges, baking soda, rubber cement, correction fluid, aerosol cans, balloons, small folding scissors, film canisters, Visine-type eye drops, rubber tubing, allergy medicines, baby laxative, brass knuckles, knives, dice and needles.

5. The licensee shall not sell single cigarettes, per Section 281.45(a) of the Minneapolis Code of Ordinances which states no person shall sell cigarettes in any manner other than by the package or multiples thereof to which a stamp has been affixed in accordance with Minnesota Statutes 297.03, Subd. 1.

6. The licensee agrees to not supply matches to customers who do not purchase tobacco.

7. "No Trespassing" signs shall remain clearly posted on the exterior of the business. Staff will immediately ask people that are observed in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity, per Section 259.250(1)(i) of the Minneapolis Code of Ordinances and Minnesota Statutes 609.605.

8. The licensee agrees to clearly post "No Loitering" and "No Panhandling" signs.

9. The licensee shall have adequate staff available, to include employees from his business next door, from 3:00 p.m. until the close of business each day to ensure monitoring of the exterior and to reduce negative behaviors, per Section 259.250(1)(i) (3) and (4) of the Minneapolis Code of Ordinances.

10. The licensee agrees to keep all exterior and interior lights illuminated and functioning properly, per Section 259.250(8) of the Minneapolis Code of Ordinances.

11. All windows will be free of signs and other items that block the view in and out, as is specified in Section 543.350 of the Minneapolis Code of Ordinances governing window signs.

12. The licensee shall comply with the Surveillance Camera Ordinance, per Section 259.230 of the Minneapolis Code of Ordinances.

13. The licensee agrees to clean the property, and all areas within 100 feet of the property line of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.

14. Prior to the execution of the agreement, the licensee shall provide proof of Worker's Compensation insurance for all employees, except those exempted from state statute, to the Licensing Division.

15. The licensee shall comply with Section 536.20 of the Zoning Code governing Specific Development Standards of Tobacco shops, which states that the first floor window area facing the street shall not be reduced. Within two weeks of execution of the agreement, the licensee agrees to remove all newspaper covering the premises' windows.

16. The licensee shall comply with Section 537.110 of the Zoning Code by removing the Automated Teller Machine (ATM) to a location within the principal structure within two weeks of the execution of the agreement.

17. The licensee shall comply with Section 259.125 of the Minneapolis Code of Ordinances governing Business Premise Maintenance Requirements which requires the removal of graffiti and keeping the exterior of the building in a workmanlike state of repair. Within two weeks of execution of the agreement, the licensee agrees to remove all graffiti and repair the wooden support beam.

18. Within two weeks of execution of the agreement, the licensee shall provide training for all employees on preventing the sale of tobacco to minors, per Section 281.45(d) of the Minneapolis Code of Ordinances; and in addition, a written policy on preventing such sales shall be provided to each employee as part of the training. The written policy shall cover management policies, employee responsibilities and consequences, point of sale procedures, and a signed employee acknowledgment. A copy shall also be provided to Licensing prior to the signing of the agreement.

19. Within two weeks of execution of the agreement, the licensee agrees to use an ID scanner at the point of sale to verify the age of any tobacco purchaser appearing younger than 30 year of age.

20. Within two weeks of execution of the agreement, the licensee shall post signage by the register that the selling of tobacco products to minors is illegal and prohibited.

21. To discourage panhandling in the vicinity of the business, the licensee agrees not to take payment for purchases in the form of coins only.

22. The licensee agrees not to exchange currency for a fee without a currency exchange license.

23. Within two weeks of execution of the agreement, the licensee agrees to comply with any outstanding orders.

24. The licensee agrees to a three-day business closure, to include a weekend, effective within two weeks of executing the agreement.

25. Within one week of execution of the agreement, the licensee agrees to suspend employee Zanab Elazab for three months. Failure on the part of employee Elazab to comply with all applicable regulations, laws and ordinances governing the business' tobacco and confectionery food license shall result in her termination.

26. The licensee shall conspicuously post the above business operating conditions, 1 through 26, alongside its license certification, per Section 259.250 of the Minneapolis Code of Ordinances.

Adopted 10/24/2008.

PS&RS – Your Committee, having under consideration the property located at 2720 17th Av S; and the Inspections Division having determined that the property meets the definition of a nuisance under the meaning of Chapter 249 of the Minneapolis Code of Ordinances; and a notice of the Director's Order to Demolish the property was issued to the property owner; and a hearing having been held by the Nuisance Condition Process Review Panel on September 11, 2008, now recommends concurrence with the recommendation of the Panel to uphold the Order to Demolish the property, and approval of the Findings of Fact, Conclusions and Recommendations, which are on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 10/24/2008.

PS&RS – Your Committee, having under consideration the property located at 2005 Hillside Av N; and the Inspections Division having determined that the property meets the definition of a nuisance under the meaning of Chapter 249 of the Minneapolis Code of Ordinances; and a notice of the Director's Order to Demolish the property was issued to the property owner; and a hearing having been held by the Nuisance Condition Process Review Panel on September 11, 2008, now recommends concurrence with the recommendation of the Panel to uphold the Order to Demolish the property, and approval of the Findings of Fact, Conclusions and Recommendations, which are on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 10/24/2008.

PS&RS – Your Committee recommends passage of the accompanying resolution affirming Mutual Aid and Support in Creating Safe and Secure Schools.

Adopted 10/24/2008.

Resolution 2008R-467, affirming Mutual Aid and Support in Creating Safe and Secure Schools, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-467

By Ostrow

Affirming Mutual Aid and Support in Creating Safe and Secure Schools.

Whereas, the City of Minneapolis and the Minneapolis Public Schools share a common goal of providing a safe and secure environment in which students can maximize their potential for learning; and

Whereas, the Minneapolis Public Schools has taken important steps towards making Minneapolis Schools among the safest in the state and region, including but not limited to; a collaborated comprehensive District-wide Emergency Management Plan, school and administrative site Emergency Plans, Site Emergency Teams in all buildings, a developed training plan for key staff, 103 Automated External Defibrillators in 73 buildings, 500 district staff certified with AED/CPR training, emergency evacuation kits for administrators and for head engineers in every building, chemical spill kits for each building, 44 safe rooms for students with special needs, evacuation equipment for students with disabilities, online safety drill tracking system for schools and an emergency management web site; and

Whereas, the provision of a safe learning environment involves addressing a continuum of issues ranging from anti-bullying programs to preparing for the possibility of crisis or emergency; and

Whereas, the Minneapolis Public Schools and the City of Minneapolis face many common potential hazards such as building fires, structural collapse, transportation accidents, tornadoes, floods, explosive devices and active shooters; and

Whereas, in the event of a pandemic or major infectious disease outbreak, the City of Minneapolis and Minneapolis Public Schools would work closely and coordinate resources for response;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council and Minneapolis Public Schools affirm their mutual aid and support in the creation of a safe learning environment for students, and in the response to potential crisis, emergencies or disasters.

Adopted 10/24/2008.

PS&RS - Your Committee, having under consideration the Rental Dwelling License held by Sam Owens for the property located at 1210 Irving Av N; and having received Findings of Fact, Conclusions and Recommendations arising from a Rental Dwelling License Board of Appeals hearing held on August 26, 2008 that recommended that the license be subject to adverse license action as deemed appropriate by the City Council, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet the licensing standard of conduct on licensed premises pursuant to Section 244.2020 of the Minneapolis Code of Ordinances, as more fully set forth in Findings of Fact which are on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 10/24/2008.

The PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an agreement with the Metropolitan Sports Facilities Commission to receive reimbursement expenses estimated in the total amount of \$127,517.70 for the Police and Public Works Departments to provide security and perimeter management services around the Metrodome stadium during Viking Football games during the 2008 football season. Further, passage of the accompanying resolution appropriating \$52,251.55 for the Public Works Department and \$75,266.15 for the Police Department.

Adopted 10/24/2008.

**RESOLUTION 2008R-468
By Samuels and Ostrow**

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended as follows:

a. increasing the appropriation for the Public Works Agency in the General Fund (00100-6070500-345501) by \$52,251.55.

b. increasing the appropriation for the Police Department Agency in the General Fund (00100-4004100-345501) by \$75,266.15.
Adopted 10/24/2008.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a grant agreement with the Minnesota Department of Public Safety, Alcohol & Gambling Enforcement Division, to receive \$5,000 for the enforcement of underage drinking laws in the 2nd Precinct to address "party houses" in the area of the University of Minnesota. Further, passage of the accompanying resolution appropriating \$5,000 to the Police Department.
Adopted 10/24/2008.

RESOLUTION 2008R-469
By Samuels and Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants –Federal Fund (01300-4002110-321010) by \$5,000.
Adopted 10/24/2008.

PS&RS & W&M/Budget – Your Committee, having under consideration the 2008 Phillips Weed and Seed grant allocation for police enforcement activities, and the Powderhorn Park Neighborhood Association have redirected \$4,315.47 under the federal grant agreement for another purpose, now recommends passage of the accompanying resolution decreasing the grant appropriation for the Police Department by \$4,315.47 for the Phillips Weed and Seed Project Grant.
Adopted 10/24/2008.

RESOLUTION 2008R-470
By Samuels and Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled Resolution, as amended, be further amended by decreasing the appropriation for the Police Department Agency in the Grants –Federal Fund (01300-4002300-321010) by \$4,315.47.
Adopted 10/24/2008.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a mutual aid agreement with the St. Paul Police Department to provide equipment, personnel and other resources available to the cities of St. Paul and Minneapolis in situations of natural or other disaster or events of social unrest.
Adopted 10/24/2008.

PS&RS & W&M/Budget - Your Committee recommends passage of the accompanying resolutions:
a. authorizing the acceptance of a donation of \$20,000 to the Police Department to provide increased neighborhood safety to the 1st Precinct.
b. increasing the appropriation to the Police Department by \$20,000.
Adopted 10/24/2008.

RESOLUTION 2008R-471
By Samuels and Ostrow

Authorizing the acceptance of a donation of \$20,000 to the Police Department to provide increased neighborhood safety to the 1st Precinct.

OCTOBER 24, 2008

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept a donation of \$20,000 from George Sherman to the Police Department to provide increased neighborhood safety to the West Bank Neighborhood in the 1st Precinct.

Adopted 10/24/2008.

RESOLUTION 2008R-472

By Samuels and Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Other Fund (01600-4002100-372001) by \$20,000.

Adopted 10/24/2008.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an agreement with the City of St. Louis Park to gather and share information on incidents of graffiti through the use of the GraffitiNet software and database. Said agreement provides for a one-time \$500 fee to the City of St. Louis Park for initial setup and development fees for 2008. Beginning in October 2009 and each year following, participating agencies will share an equal portion of the annual maintenance costs.

Adopted 10/24/2008.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the delay of the Nicollet Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5188, due to a delay by Mn/DOT on the I-35W/Crosstown Project, now recommends passage of the accompanying resolution amending Resolution 2008R-347 in order to postpone the levy of special assessments for the delayed project until 2010.

Adopted 10/24/2008.

Resolution 2008R-473, amending Resolution 2008R-347, entitled "Ordering the work to proceed and adopting the special assessments for the Nicollet Ave S and 60th St E Projects", passed August 8, 2008, in order to delay the levy of special assessments for the Nicollet Ave project until 2010, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-473

By Colvin Roy

Amending Resolution 2008R-347, entitled "Ordering the work to proceed and adopting the special assessments for the Nicollet Ave S and 60th St E Projects", passed August 8, 2008.

Whereas, on August 8, 2008, the City Council of the City of Minneapolis passed Resolution 2008R-347 ordering the work to proceed and adopting the special assessments for the Nicollet Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5188, as designated in Resolution 2008R-255, passed June 20, 2008; and

Whereas, the special assessments in the total amount of \$144,898.04, as on file in the office of the City Clerk, were to begin collection on the 2009 real estate tax statements; and

Whereas, the start of this resurfacing project is in coordination with the construction work being done by Mn/DOT on I-35W and its frontage roads and cross streets, and Mn/DOT's work has been delayed by 2 months and therefore the City cannot complete said resurfacing project before the end of the construction season 2008; and

Whereas, the City will complete the 60th St E Resurfacing Project as scheduled in 2008; and

Whereas, the City will proceed and complete the Nicollet Ave S Resurfacing Project in 2009;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to postpone the levying of the special assessments for the Nicollet Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5188, until 2010 by amending the third and fourth Resolved clauses and adding two additional Resolved clauses to read as follows:

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid for the 60th St E Street Resurfacing Project shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2009 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid for the 60th St E Street Resurfacing Project shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2009 real estate tax statements.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid for the Nicollet Ave S Street Resurfacing Project shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2010 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid for the Nicollet Ave S Street Resurfacing Project shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2010 real estate tax statements.

Adopted 10/24/2008.

T&PW - Your Committee, having under consideration the special assessment deferment application submitted by Nancy R. Tufford (Senior Citizen) to defer the special assessment (Levy 01052, Project 09S05) for sidewalk repair in the original principal amount of \$772.58 for payable 2009 and subsequent years on the property at 3447 Ulysses St NE, PID 01-029-24-12-0094, legal description: the North 1/2 of Lot 25 and that part of Lot 26 lying southerly of the northerly 14 feet front and rear thereof, Block 4, "Oak Hill Park", now recommends that the application be approved as provided for in Minnesota Statutes, Sections 435.193 through 435.195 and Council Resolutions 80R-365 passed August 8, 1980, and 93R-134 passed April 16, 1993.

Adopted 10/24/2008.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for in-house security services at the Minneapolis Convention Center, and security services for Public Works Water Works, Public Works Impound Lot, and Emergency Security Mobilization Services. Said contract to be for an initial one-year period, effective January 1, 2009, with two one-year renewal options, at an estimated combined annual cost of \$2,600,000 (\$1,300,000 payable from Convention Center Fund 01760, \$750,000 payable from Water Works Fund 07400, and \$550,000 payable from Impound Lot Fund 07500).

Your Committee further recommends that the Findings of Fact prepared by the Permanent Review Committee be adopted.

Adopted 10/24/2008.

Approved by Mayor Rybak 10/24/2008.
(Published 10/28/2008)

T&PW & W&M/Budget - Your Committee recommends:

a) That the proper City officers be authorized to negotiate and execute a contract with Minneapolis Refuse, Inc. for the collection of garbage, recyclables, problem materials and seasonal yard wastes for approximately 30,780 dwelling units located in the northwest area of the city (Zones 1, 2 and 3) for a five-year term at a rate of \$10.49 per dwelling unit per month;

b) That the proper City officers be authorized officers to negotiate and execute a contract with Aspen Waste System, Inc. for the collection of garbage, recyclables, problem materials, and seasonal yard waste for approximately 21,566 dwelling units in the southwest area of the city (Zone 4) for a five-year term with a rate of \$9.29 per dwelling unit per month in year 1; \$9.66 per dwelling unit per month in year 2; \$10.05 per dwelling unit per month in year 3; \$10.45 per dwelling unit per month in year 4; and \$10.87 per dwelling unit per month in year 5; and

c) That the Findings of Fact relating to the Request for Proposals process be adopted.

Further, that the above recommendations be approved upon the condition that Aspen Waste System, Inc. and Minneapolis Refuse, Inc. execute written waivers and covenants not to sue, and further execute written stipulations not to pursue legal action related to either Minnesota Statutes 115A.94 or the City's Labor Peace requirement as supported by the Findings of Fact of the Permanent Review Committee. In the event that either party fails to sign such an agreement within ten days of the date of the Council action, the other party will be awarded the solid waste contract for the currently contracted portion of the City. In the event that either party fails to sign such an agreement, the City Attorney is directed to draft alternative Findings for adoption by the City Council.

Colvin Roy moved that the final paragraph of the report be amended as follows:

Further, that the above recommendations be approved upon the condition that Aspen Waste System, Inc. and Minneapolis Refuse, Inc. execute written waivers and covenants not to sue, and further execute written stipulations not to pursue legal action related to either Minnesota Statutes 115A.94 or the City's Labor Peace requirement as supported by the Findings of Fact of the Permanent Review Committee. In the event that either party fails to sign such an agreement within ten days of the date of the Council action on or before November 5, 2008, the other party will be awarded the solid waste contract for the currently contracted portion of the City. In the event that either party fails to sign such an agreement, the City Attorney is directed to draft alternative Findings for adoption by the City Council.
Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted 10/24/2008. Yeas, 12; Nays, 1 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Gordon, Hofstede, Ostrow, Schiff, Colvin Roy, Glidden, Johnson.

Nays - Lilligren.

T&PW & W&M/Budget - Your Committee, having under consideration Nicollet Mall improvement, maintenance, and operation assessments for payable 2009, all written and oral objections and statements regarding the assessments, and having held a public hearing on October 14, 2008, in accordance with the provisions of Minnesota Statutes, Section 430.102, now recommends that the proposed assessments in the amount of \$1,171,706 be adopted and levied, that the assessment roll filed by the City Engineer with the City Clerk (Petn No 273094) be adopted, and that the City Clerk be directed to transmit a certified copy of said assessment roll to the Hennepin County Auditor.

Adopted 10/24/2008.

T&PW & W&M/Budget - Your Committee, having under consideration the reconstruction of the Main Street Bridge over the Burlington Northern Railroad (at approximately 2nd Ave NE), now recommends:

a) Authorizing the execution of a Cost Participation Agreement for Hennepin County Project No 9321, Main Street Bridge Reconstruction, (County Agreement No 41-20-05), pending satisfactory review by the proper City officers;

b) Passage of the accompanying resolution increasing the appropriation and revenue for the project by \$13,000 from Municipal State Aid (MSA) funds; and

c) Authorizing the expenditure of \$43,000 of MSA funds for the City's cost participation in the project.

Adopted 10/24/2008.

RESOLUTION 2008R-474
By Colvin Roy and Ostrow

Amending The 2008 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in 2008 CSAH Paving Program (04100-9010000-PV804) by \$13,000, and increasing the revenue source (04100-9010000-PV804 - Source 321514 - Municipal State Aid Funds).

Adopted 10/24/2008.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to submit an application for federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) New Freedom funds passed through the state to be used for the installation of accessible pedestrian signals.

Adopted 10/24/2008.

T&PW & W&M/Budget - Your Committee recommends acceptance of the low responsive bids submitted to the Public Works Department on OP 7035, for a total estimated expenditure of \$2,374,984, to furnish and deliver towing of vehicles from public or private property for Tow Districts A and B, Tow Zones 1-6, and towing outside the city limits, as indicated below:

| | | <u>Price Per Tow</u> |
|------------------------|---------------------|-------------------------------------|
| Wrecker Services, Inc. | District A & Zone 3 | \$ 39.45 |
| Rapid Recovery, Inc. | District B & Zone 5 | \$ 59.24 |
| Shorty's Heavy Duty | Zone 1 | \$112.00 |
| Shorty's Heavy Duty | Zone 2 | \$112.00 |
| S & T Transport, Inc. | Zone 4 | \$130.00 |
| Chief's Towing, Inc. | Zone 6 | \$144.00 |
| Wrecker Services, Inc. | | \$1.75 per mile outside City limits |

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department, becoming effective December 1, 2008 for an initial term ending on June 30, 2010, with the option, at the sole discretion of the City, to extend the contracts up to two times for a two-year period from July 1, 2010 through June 30, 2012, and again from July 1, 2012 through June 30, 2014.

Adopted 10/24/2008.

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the current contract with the Council on Crime and Justice to increase the amount of the contract by \$305,351; and to extend the period of performance to December 31, 2009.

Adopted 10/24/2008.

W&M/Budget - Your Committee recommends authorizing the City Attorney's office to issue a Request for Proposals (RFP) for Courier Services.
Adopted 10/24/2008.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to increase the Cognos Corporation contract C-24267 by \$200,000 for an increase in scope to provide additional functionality within the Cognos software for implementation of the Budget Preparation Phase II project. No additional appropriation required.
Adopted 10/24/2008.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions as follows:

- a) Authorizing the acceptance of Non-profit Convention Events funds to Meet Minneapolis for expenses incurred for qualifying events; and
 - b) Increasing the appropriation to Meet Minneapolis to reflect receipt of said funds.
- Adopted 10/24/2008.

RESOLUTION 2008R-475
By Ostrow

Authorizing the acceptance of Non-profit Convention Events funds to Meet Minneapolis.

Resolved by The City Council of The City of Minneapolis:
That the proper City officers be authorized to accept Non-profit Convention Events funds in the amount of \$362,500 to provide payment to Meet Minneapolis for expenses incurred for qualifying events.
Adopted 10/24/2008.

RESOLUTION 2008R-476
By Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:
That the above-entitled resolution, as amended, be further amended by increasing the appropriation for Meet Minneapolis in the Convention Center Operations Fund (01760-8650200) by \$362,500; and increasing the revenue (01760-8650200-372001) by \$362,500.
Adopted 10/24/2008.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to increase the Kone, Inc. contract C-21500 in the amount of \$200,000 for a new estimated annual expenditure of \$283,485 to provide elevator and escalator maintenance at the Minneapolis Convention Center. No additional appropriation required.
Adopted 10/24/2008.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to receive sponsorship funds from the MSP 2008 Host Committee in the amount of \$85,000, as Minneapolis 311 served as the information hotline for delegates, guests and visitors to the Republican National Convention.

Your Committee further recommends passage of the accompanying resolution appropriating funds.

Adopted 10/24/2008.

RESOLUTION 2008R-477

By Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the amount in the Grants - Other Fund (01600-8300200-372001) by \$85,000 for Minneapolis 311.

Adopted 10/24/2008.

W&M/Budget - Your Committee recommends passage of the accompanying resolution making modifications to the appropriations to departments having employees that belong to bargaining units that have settled contracts in excess of the two-percent (2%) annual salary increase assumption.

Adopted 10/24/2008.

Resolution 2008R-478, modifying department appropriations that require use of 2008 contingency funds, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-478

By Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by:

- a) decreasing the Contingency Fund appropriation (00100-1750000) by \$539,000.
- b) increasing the appropriations in the following funds:

| <u>Fund</u> | <u>Department</u> | <u>Description</u> | <u>Appropriation</u> |
|-------------|-------------------|-----------------------------|----------------------|
| 00100 | 8300000 | 911/311 | \$1,000 |
| 00100 | 1400000 | Attorney | \$17,000 |
| 00100 | 2600000 | City Clerk | \$1,000 |
| 00100 | 3000000 | Civil Rights | \$2,000 |
| 00100 | 8420000 | Communications | \$3,000 |
| 00100 | 8600000 | Community Services | \$1,000 |
| 00100 | 8400000 | Coordinator | \$1,000 |
| 00100 | 8900000 | CPED | \$9,000 |
| 00100 | 8200000 | Finance Department | \$17,000 |
| 00100 | 8150000 | Human Resources | \$4,000 |
| 00100 | 8410000 | IGR | \$1,000 |
| 00100 | 4000000 | Police | \$459,000 |
| 00100 | 6500000 | PW - Admin Services | \$3,000 |
| 00100 | 6000000 | PW - Engineering Design | \$1,000 |
| 00100 | 6070000 | PW - Field Services | \$2,000 |
| 00100 | 6850000 | PW - Traffic & Parking Svcs | \$4,000 |
| 00100 | 6850000 | PW - Transportation | \$3,000 |
| 00100 | 8350000 | Regulatory Services | \$10,000 |

c) decreasing the following non-general fund balances:

| <u>Fund</u> | <u>Department</u> | <u>Description</u> | <u>Appropriation</u> |
|-------------|-------------------|-----------------------------|----------------------|
| 01210 | 4000000 | Police | \$1,000 |
| 01300 | 1400000 | Attorney | \$1,000 |
| 01300 | 8600000 | Community Services | \$4,000 |
| 01300 | 8900000 | CPED | \$2,000 |
| 01300 | 4000000 | Police | \$1,000 |
| 01400 | 8900000 | CPED | \$3,000 |
| 01600 | 8600000 | Community Services | \$6,000 |
| 01600 | 8900000 | CPED | \$1,000 |
| 01760 | 8650000 | Convention Center | \$31,000 |
| 04100 | 6000000 | PW - Engineering Design | \$11,000 |
| 06000 | 6400000 | PW - Eng. Materials/Testing | \$2,000 |
| 06100 | 6750000 | PW - Equipment | \$2,000 |
| 06200 | 6800000 | PW - Prop Services | \$3,000 |
| 06400 | 8800000 | BIS | \$24,000 |
| 06900 | 1400000 | Attorney | \$15,000 |
| 06900 | 8200000 | Finance Department | \$2,000 |
| 07300 | 6000000 | PW - Engineering Design | \$5,000 |
| 07300 | 6300000 | PW - Surface Water/Sewers | \$1,000 |
| 07400 | 6900000 | PW - Water Treatment | \$11,000 |
| 07500 | 685TAD7 | PW - 7th Street Garage | \$3,000 |
| 07500 | 6850000 | PW - Transportation | \$5,000 |
| 07700 | 6640000 | PW - Solid Waste | \$1,000 |
| 01CAD | 8900000 | CPED | \$2,000 |
| 01SED | 8900000 | CPED | \$2,000 |

Adopted 10/24/2008.

W&M/Budget - Your Committee, having under consideration centralized leases for City Hall space, now recommends the proposed technical change, as set forth in the Finance Department's staff report, relating to the collection and disbursement of rent charges be forwarded to the Facilities, Space and Asset Management Committee (FSAM) for discussion and final decision for implementation in the 2009 Budget adoption.

Adopted 10/24/2008.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Suad Hassan/City Market from the decision of the Planning Commission denying applications for a conditional use permit to allow for extended hours of operation for a reception and meeting hall to 2:00 a.m. Friday through Sunday, and a variance to reduce the minimum off-street parking requirement for a shopping center to 55 parking stalls, both at 1825 E Lake Street and 3005 and 3015 Cedar Ave S, now recommends that said appeal be denied, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

Adopted 10/24/2008.

Z&P - Your Committee, having under consideration the appeal filed by Richard D. Snyder on behalf of Marquee Properties LLC, from the decision of the Heritage Preservation Commission denying an application for Certificate of Appropriateness filed by Marquee Properties to permit the demolition of the Dole Building at 321 2nd Avenue North, a contributing property to the North Loop Warehouse Historic District, now recommends that the appeal and the Certificate be denied and that the related findings of fact and recommendations prepared by the Heritage Preservation Commission staff and the City Attorney's office be adopted.

Adopted 10/24/2008.

Z&P - Your Committee, having under consideration the applications of Mark Freund for waivers from Interim Ordinance 2008-Or-078, providing for a moratorium on the demolition, new construction, or establishment of single and two-family residential dwellings in the "University District" area (passed October 10, 2008), to permit applications for demolition for the properties at 1013 and 1019 University Avenue SE, now recommends that said waiver be granted, and that the findings prepared by the Department of Community Planning & Economic Development staff be adopted.

Adopted 10/24/2008. Yeas, 11; Nays, 1 as follows:

Yeas - Remington, Benson, Goodman, Hodges, Samuels, Gordon, Ostrow, Schiff, Lilligren, Colvin Roy, Johnson.

Nays - Hofstede.

Absent - Glidden.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Kirk Moorhead, on behalf of Plymouth Church Neighborhood Foundation to vacate part of a boulevard reserve along 3700 Nicollet Avenue(#1550), and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said boulevard reserve.

Adopted 10/24/2008.

Resolution 2008R-479, vacating a boulevard reserve alongside 3700 Nicollet Avenue, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-479

By Schiff

Vacating a Boulevard Reserve (Vacation File #1550).

Resolved by The City Council of The City of Minneapolis:

That all that part of the Boulevard Reserve easement as dedicated in the plat of Park Addition to Minneapolis, being a 20.00 foot strip lying south of the north line of Lot 1 as extended east to Nicollet Avenue, and lying north of the south line of Lot 6 as extended east to Nicollet Avenue, all according to the plat of record at the Hennepin County Records office, Minneapolis, Minnesota is hereby vacated.

Adopted 10/24/2008.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of Faegre & Benson on behalf of Opus Northwest, LLC and Opus NWR Development, LLC (BZZ-4187) to rezone the properties at 810, 814 and 818 Washington Avenue SE, 307, 309 and 313 Oak Street SE, and 312 Ontario Street SE from C1 and C2 to the C3A Community Activity Center District to permit construction of a 9-story, 177-unit residential development with ground level commercial space, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 10/24/2008.

Approved by Mayor Rybak 10/24/2008.

(Published 10/28/2008)

OCTOBER 24, 2008

Ordinance 2008-Or-081 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 810, 814 & 818 Washington Avenue SE, 307, 309 & 313 Oak Street SE, and 312 Ontario Street SE from C1 and C2 to the C3A District, was adopted 10/24/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-081
By Schiff
1st & 2nd Readings: 10/24/2008

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of all of Lots 1, 3, 4 and 6, together with the east 50.00 feet of Lot 2 and together with the north half of Lot 5, all in Block 7, Baker's Addition to Saint Anthony. (810, 814 and 818 Washington Avenue SE, 307, 309 and 313 Oak Street SE, 312 Ontario Street SE - Plate 22) to the C3A District.

Adopted 10/24/2008.

Approved by Mayor Rybak 10/24/2008.

MOTIONS

Schiff moved to amend the Council action of January 18, 2008, relating to adoption of the 2008 Council Committee Meeting Calendar, which deleted all Committee meeting dates after December 12, 2008, by reinstating the following Committee meeting dates:

Community Development: December 16, 2008

Health, Energy & Environment: December 15, 2008

Public Safety & Regulatory Services: December 17, 2008

Transportation & Public Works: December 16, 2008

Zoning & Planning: December 18, 2008

Schiff further moves approval of the following 2009 Committee meeting dates:

Intergovernmental Relations: January 6, 2009

Ways & Means/Budget: January 5, 2009. Seconded.

Adopted 10/24/2008.

Absent - Glidden.

Schiff moved to adopt the 2009 City Council Meeting Calendar, as set forth in Petn No 273105. Seconded.

Adopted 10/24/2008.

Absent - Glidden.

RESOLUTION

Resolution 2008R-480, honoring Greater Minneapolis Council of Churches Community Justice Project for winning the 2008 Governor's Council on Faith and Community Services Initiatives Best Practices Award during Criminal Justice Month, was adopted 10/24/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-480

By Ostrow, Gordon, Hofstede, Johnson, Samuels, Lilligren, Goodman, Glidden, Schiff, Remington, Benson, Colvin Roy and Hodges

Honoring Greater Minneapolis Council of Churches Community Justice Project for winning the 2008 Governor's Council on Faith and Community Services Initiatives Best Practices Award during Criminal Justice Month.

Whereas, in 2001, St Phillips Church, under the leadership of Father Greg Tollas, worked in partnership with then 4th Precinct Inspector Tim Dolan, to begin a faith based approach to work with offenders in the Hawthorne and surrounding communities; and

Whereas, the Community Justice Project, a collaborative between the Minneapolis Police Department, the Greater Minneapolis Council of Churches, and the Hennepin County Adult Correctional Facility continued this work in 2004; and

Whereas, the Community Justice Project's primary goal is to increase public safety by reducing recidivism through changing the behavior of offenders and effecting system change by matching inmates with trained mentors; and

Whereas, the Community Justice Project has trained 250 mentors and worked with over 450 offenders; and

Whereas, the national average for released offenders returning to prison is 52%, while in 2007, only 16% of those in the Community Justice Project returned to prison; and

Whereas, this partnership has increased neighborhood livability by reducing arrest of these offenders; and

Whereas, on October 8, 2008 the State of Minnesota and Governor Tim Pawlenty, recognized the work of Hillary Freeman, Reverend Gary Reiersen and Reverend Brian Herron and awarded The Community Justice Project the 2008 Governor's Council on Faith and Community Services Initiatives Best Practices Award;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we honor the Greater Minneapolis Council of Churches Community Justice Project for their work with offenders and for their commitment to the City of Minneapolis.

Be It Further Resolved that the City Council of the City of Minneapolis recognizes October to be Criminal Justice Month.

Adopted 10/24/2008.

Absent - Glidden.

UNFINISHED BUSINESS

T&PW & W&M/Budget - Your Committee, having under consideration passage of the accompanying resolution approving the project layout for Chicago Ave from 8th St E to 25th St E and 26th St E to 28th St E, dated September 10, 2008, as set forth in Petn No 273063 on file in the office of the City Clerk, now recommends that said resolution be adopted.

By unanimous consent, the report was postponed 10/24/2008.

Absent - Glidden.

NEW BUSINESS

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 3 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection by adding a new Chapter 59 relating to Construction Activities

(coordinating environmental construction activities definitions, permitting, permit requirements and enforcement).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 3 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection:

- a. Chapter 47 relating to Air Pollution (repealing Section 47.140 relating to Abrasive Blasting Permit Required);
- b. Chapter 48 relating to Minneapolis Watershed Management Authority (amending and clarifying on-site remediation regulations, standards and definitions).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 15, Chapter 389 of the Minneapolis Code of Ordinances relating to Offenses—Miscellaneous: Noise (amending and clarifying noise regulations, standards and definitions).

Hofstede moved to introduce the subject matter of the following ordinances amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor & Beer, for first reading and referral to the Public Safety & Regulatory Services Committee:

- a. Chapter 360 relating to In General (repealing Section 360.55 relating to Music not to disturb residents);
- b. Chapter 362 relating to Liquor Licenses (amending regulations addressing content of required license application). Seconded.

Adopted upon a voice vote 10/24/2008.

Hofstede moved to introduce the subject matter of an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General, for first reading and referral to the Public Safety & Regulatory Services Committee (establishing requirement for qualifying licensed establishments to operate in compliance with noise standards imposed by Chapter 389 and to conduct required sound evaluation. Seconded.

Adopted upon a voice vote 10/24/2008.

Remington gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks by adding a new Chapter 464 relating to Newsracks (regulating the placement of newsracks; designating personnel to enforcement the ordinance; and providing for a fee).

Lilligren moved to adjourn to Room 315 City Hall to consider the following lawsuits:

Police Officer's Federation of Minneapolis and Charlie Adams v. City of Minneapolis et al; and *Deon Mallet v. City of Minneapolis*. Seconded.

Adopted upon a voice vote 10/24/2008.

Absent – Glidden.

Room 315 City Hall

Minneapolis, Minnesota

October 24, 2008 - 11:27 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the chair.

Present - Council Members Remington, Benson, Hodges, Samuels, Ostrow, Lilligren, Johnson.

Absent - Council Members Goodman, Gordon, Hofstede, Schiff, Colvin Roy, Glidden.

Ginder stated that the meeting may be closed for the purpose of discussing attorney client privileged matters involving the following lawsuits:

Police Officer's Federation of Minneapolis and Charlie Adams v. City of Minneapolis et al; and Deon Mallet v. City of Minneapolis.

At 11:28 a.m., Lilligren moved that the meeting be closed. Seconded.

Adopted upon a voice vote.

Absent - Goodman, Gordon, Hofstede, Schiff, Colvin Roy, Glidden.

Present - Council Members Reminton, Benson (Out at 11:54 a.m.; In at 11:59 a.m.; Out at 1:19 p.m.), Goodman (In at 11:29 a.m.), Hodges (Out at 12:36 p.m.; In at 12:40 p.m.), Samuels (Out at 12:47 p.m.; In at 12:50 p.m.), Gordon (In at 11:30 a.m.), Hofstede (In at 11:30 a.m.; Out at 12:24 p.m.; In at 12:30 p.m.), Ostrow (Out at 11:59 a.m.; In at 12:02 p.m.; Out at 12:45 p.m.; In at 12:47 p.m.; Out at 1:28 p.m.; In at 1:30 p.m.), Schiff (In at 11:30 a.m.; Out at 1:19 p.m.), Lilligren (Out at 12:36 p.m.; In at 12:46 p.m.), Colvin Roy (In at 11:29 a.m.; Out at 1:12 p.m.; In at 1:18 p.m.), Glidden (In at 11:31 a.m.; Out at 12:45 p.m.), Johnson.

Also present - Sara J. Lathrop and Caroline Bachun, Assistant City Attorneys; Peter Ginder, Deputy City Attorney (Out at 12:04 p.m.; In at 12:08 p.m.); Susan Segal, City Attorney; Valerie Wurster, Deputy Police Chief (Out at 12:03 p.m.); Sharon Lubinski, Assistant Police Chief (In at 11:26 a.m.); Kim Malrick, Aide to Council Member Remington (Out at 12:55 p.m.; In at 12:59 p.m.); Steve Ristuben, City Clerk; and Jackie Hanson, City Clerk's Office.

Lathrop summarized the *Deon Mallet v. City of Minneapolis* lawsuit from 11:28 a.m. to 12:03 p.m.

Bachun summarized the *Police Officer's Federation of Minneapolis and Charlie Adams v. City of Minneapolis et al* lawsuit from 12:03 p.m. to 1:45 p.m.

At 1:45 p.m., Lilligren moved that the meeting be opened. Seconded.

Adopted upon a voice vote.

Absent - Benson, Schiff, Glidden.

Hodges moved that the claim of *Deon Mallet v. City of Minneapolis* be settled in the amount of \$25,000 payable to Deon Mallet and his attorney Jill Clark from the appropriate fund, and authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement. Seconded.

Adopted 10/24/2008. Yeas, 9; nays, 1 as follows:

Yeas - Remington, Hodges, Samuels, Gordon, Hofstede, Ostrow, Lilligren, Colvin Roy, Johnson.

Nays - Goodman.

Absent - Benson, Schiff, Glidden.

Lilligren moved to adjourn. Seconded.

Adopted upon a voice vote 10/24/2008.

Absent - Remington, Benson, Schiff, Glidden.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Steven J. Ristuben,
City Clerk

Unofficial Posting: 10/27/2008

Official Posting: 11/03/2008

Corrections: 12/10/2008; 12/31/2008; 5/4/2009